

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Fuel and purchased power cost recovery
clause with generating performance incentive
factor.

DOCKET NO. 20260001-EI
ORDER NO. PSC-2026-0389-PHO-EI
ISSUED: October 28, 2026

PREHEARING ORDER

Pursuant to Notice and in accordance with Rule 28-106.209, Florida Administrative Code (F.A.C.), a Prehearing Conference was held on October 20, 2026, in Tallahassee, Florida, before Commissioner Gary F. Clark, as Prehearing Officer.

APPEARANCES:

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On behalf of Duke Energy Florida, LLC (DEF).

MARIA JOSE MONCADA and WILLIAM P. COX, ESQUIRES, 700 Universe Blvd., Juno Beach, Florida 33408-0420

On behalf of Florida Power & Light Company (FPL).

BETH KEATING, ESQUIRE, Gunster, Yoakley & Stewart, P.A., 215 South Monroe Street, Suite 601, Tallahassee, Florida 32301

On behalf of Florida Public Utilities Company (FPUC).

J. JEFFRY WAHLEN, MALCOLM N. MEANS and MATTHEW J. JONES, ESQUIRES, Ausley McMullen, P.O. Box 391, Tallahassee, Florida 32302

On behalf of Tampa Electric Company (TECO).

WALT TRIERWEILER, CHARLES J. REHWINKEL and AUSTIN WATROUS, ESQUIRES, c/o The Florida Legislature, 111 West Madison Street, Suite 812, Tallahassee, Florida 32399-1400

On behalf of Office of Public Counsel (OPC).

JON C. MOYLE, JR. and KAREN A. PUTNAL, ESQUIRES, Moyle Law Firm, P.A., 118 North Gadsden Street, Tallahassee, Florida 32301

On behalf of Florida Industrial Power Users Group (FIPUG).

PETER J. MATTHEIS, MICHAEL K. LAVANGA and JOSEPH R. BRISCAR, ESQUIRES, Stone Mattheis Xenopoulos & Brew, PC, 1025 Thomas Jefferson Street, NW, Suite E-3400, Washington, DC 20007

On behalf of Nucor Steel Florida, Inc. (Nucor).

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On behalf of White Springs Agricultural Chemicals, Inc. d/b/a PCS Phosphate – White Springs (PCS Phosphate).

WILLIAM C. GARNER, ESQUIRE, Law Office of William C. Garner, PLLC, 3425 Bannerman Road, Unit 105, No. 414, Tallahassee, Florida 32312

On behalf of Southern Alliance for Clean Energy (SACE).

SUZANNE BROWNLESS and ZACHARY BLOOM, ESQUIRES, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850

On behalf of the Florida Public Service Commission (Staff).

MARY ANNE HELTON, ESQUIRE, Deputy General Counsel, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850
Advisor to the Florida Public Service Commission.

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Florida Public Service Commission General Counsel.

I. CASE BACKGROUND

As part of the continuing fuel and purchased power adjustment and generating performance incentive clause proceedings, an administrative hearing will be held by the Florida Public Service Commission (Commission) on November 3-6, 2026. The purpose of this docket is to review and approve purchased wholesale electric power charges, electric generation facilities' fuel and fuel related costs, and incentives associated with the efficient operation of generation facilities which are passed through to ratepayers through the fuel adjustment factor. The Commission will address those issues listed in this prehearing order. The Commission has the option to render a bench decision with agreement of the parties on any or all of the issues listed below.

II. CONDUCT OF PROCEEDINGS

Pursuant to Rule 28-106.211, F.A.C., this Prehearing Order is issued to prevent delay and to promote the just, speedy, and inexpensive determination of all aspects of this case.

III. JURISDICTION

This Commission is vested with jurisdiction over the subject matter by the provisions of Chapter 366, Florida Statutes (F.S.). This hearing will be governed by said Chapter, Chapter 120, and Rules 25-6, 25-22, and 28-106, F.A.C., as well as any other applicable provisions of law.

IV. PROCEDURE FOR HANDLING CONFIDENTIAL INFORMATION

Information for which proprietary confidential business information status is requested pursuant to Section 366.093, F.S., and Rule 25-22.006, F.A.C., shall be treated by the Commission as confidential. The information shall be exempt from Section 119.07(1), F.S., pending a formal ruling on such request by the Commission or pending return of the information to the person providing the information. If no determination of confidentiality has been made and the information has not been made a part of the evidentiary record in this proceeding, it shall be returned to the person providing the information. If a determination of confidentiality has been made and the information was not entered into the record of this proceeding, it shall be returned to the person providing the information within the time period set forth in Section 366.093, F.S. The Commission may determine that continued possession of the information is necessary for the Commission to conduct its business.

It is the policy of this Commission that all Commission hearings be open to the public at all times. The Commission also recognizes its obligation pursuant to Section 366.093, F.S., to protect proprietary confidential business information from disclosure outside the proceeding. Therefore, any party wishing to use any proprietary confidential business information, as that term is defined in Section 366.093, F.S., at the hearing shall adhere to the following:

- (1) When confidential information is used in the hearing that has not been filed as prefiled testimony or prefiled exhibits, parties must have copies for the Commissioners, necessary staff, and the court reporter, in red envelopes clearly marked with the nature of the contents and with the confidential information highlighted. Any party wishing to examine the confidential material that is not subject to an order granting confidentiality shall be provided a copy in the same fashion as provided to the Commissioners, subject to execution of any appropriate protective agreement with the owner of the material.
- (2) Counsel and witnesses are cautioned to avoid verbalizing confidential information in such a way that would compromise confidentiality. Therefore, confidential information should be presented by written exhibit when reasonably possible.

At the conclusion of that portion of the hearing that involves confidential information, all copies of confidential exhibits shall be returned to the proffering party. If a confidential exhibit has been admitted into evidence, the copy provided to the court reporter shall be retained in the Office of Commission Clerk's confidential files. If such material is admitted into the evidentiary

record at hearing and is not otherwise subject to a request for confidential classification filed with the Commission, the source of the information must file a request for confidential classification of the information within 21 days of the conclusion of the hearing, as set forth in Rule 25-22.006(8)(b), F.A.C., if continued confidentiality of the information is to be maintained.

V. PREFILED TESTIMONY AND EXHIBITS; WITNESSES

Testimony of all witnesses to be sponsored by the parties has been prefiled and will be inserted into the record as though read after the witness has taken the stand and affirmed the correctness of the testimony and associated exhibits. All testimony remains subject to timely and appropriate objections. Upon insertion of a witness' testimony, exhibits appended thereto may be marked for identification. Each witness will have the opportunity to orally summarize his or her testimony at the time he or she takes the stand. Summaries of testimony shall be limited to three minutes.

Witnesses are reminded that, on cross-examination, responses to questions calling for a simple yes or no answer shall be so answered first, after which the witness may explain his or her answer. After all parties and Staff have had the opportunity to cross-examine the witness, the exhibit may be moved into the record. All other exhibits may be similarly identified and entered into the record at the appropriate time during the hearing.

The Commission frequently administers the testimonial oath to more than one witness at a time. Therefore, when a witness takes the stand to testify, the attorney calling the witness is directed to ask the witness to affirm whether he or she has been sworn.

The parties shall avoid duplicative or repetitious cross-examination. Further, friendly cross-examination will not be allowed. Cross-examination shall be limited to witnesses whose testimony is adverse to the party desiring to cross-examine. Any party conducting what appears to be a friendly cross-examination of a witness should be prepared to indicate why that witness' direct testimony is adverse to its interests.

All parties must refer to the Exhibit Number established by the Comprehensive Exhibit List when referencing an exhibit during cross-examination.

VI. ORDER OF WITNESSES

<u>Witness</u>	<u>Proffered By</u>	<u>Issues #</u>
<u>Direct</u>		
Christopher A. Menendez ¹ Revised 10/23/2026	DEF	1A, 1C-1D, 5-8, 14-18, 19A, 22-31
Adam R. Bingham	DEF	12-13
James McClay	DEF	1B
Alison Regan ²	FPUC	5
Caroline Wanjiru McCool	FPUC	6-8, 14-18, 29-31
P. Mark Cutshaw	FPUC	8, 14
M. Ashley Sizemore	TECO	5-8, 14-18, 22-28, 29-31
Adam L. Parke	TECO	12-14
Benjamin F. Smith, II	TECO	14, 26
John C. Heisey	TECO	4A, 4B, 14

If the parties and Staff are later willing to excuse witnesses, Staff shall confirm with each hearing Commissioner whether a particular witness may be excused. If no Commissioner has any questions for those witnesses, then the witnesses may be excused from the hearing with his or her testimony entered into the record as though read and exhibits admitted.

VII. BASIC POSITIONS

DEF: Not applicable. DEF's positions on specific issues are listed below.

FPL: *All FPL issues will be heard at a final hearing held on December 1, 2026. A separate procedural order will be issued for the December 1, 2026 final hearing.*

FPUC: The Commission should approve Florida Public Utilities Company's final net true-up for the period January through December 2025, the estimated true-up for

¹ Adopted the True-Up testimony of Gary Dean.

² Adopted by Caroline Wanjiru McCool.

the period January through December 2026, and the purchase power cost recovery factors for the period January through December 2027, until subsequently revised by the Commission.

TECO: The Florida Public Service Commission (“Commission”) should approve Tampa Electric Company’s (“Tampa Electric”) calculation of its fuel adjustment, capacity cost recovery, and GPIF true-up and projection calculations, including the proposed fuel adjustment factor of 3.084 cents per kWh before any application of time of use multipliers for on-peak or off-peak usage; Tampa Electric’s proposed capacity factor for the period January through December 2027; a GPIF reward of \$7,622,180 for performance during 2025 and Tampa Electric’s proposed GPIF targets and ranges for 2027.

OPC: The utilities bear the burden of proof to justify the recovery of costs they request in this docket and must carry this burden regardless of whether or not the intervenors provide evidence to the contrary. Further, the utilities bear the burden of proof to support their proposal(s) seeking the Commission’s adoption of policy statements (whether new or changed) or other affirmative relief sought. Even if the Commission has previously approved a program, recovery of a cost, factor, or adjustment as meeting the Commission’s own requirements, the utilities still bear the burden of demonstrating that the costs submitted for final recovery meet any statutory test(s) and are reasonable in amount and prudently incurred. Further, the utilities bear the burden of proof to support that all costs sought to be recovered through this clause are correctly clause recovery costs and not base rate costs. Further, recovery of all costs is constrained by the Commission’s obligation to set fair, just, and reasonable rates, based on projects that are prudent in purpose and scope and costs that are prudently incurred pursuant to section 366.01, Florida Statutes. Additionally, the provisions of Chapter 366, Florida Statutes, must be liberally construed to protect the public welfare.

FIPUG: The utilities bear the burden of proof to justify the recovery of costs they request in this docket as reasonable and prudent. The utilities must carry this burden regardless of whether or not FIPUG or other parties introduce evidence to the contrary. The utilities must also carry their burden of proof to support their proposal(s) asking the Commission’s adoption of policy statements (whether new or changed) or other affirmative relief sought.

Nucor: Nucor’s basic position is that Duke Energy Florida, LLC (“DEF”) bears the burden of proof to justify the costs it seeks to recover through the fuel clause and capacity cost recovery clause and any other relief DEF requests in this proceeding. Fuel expense makes up a large portion of DEF’s revenues and therefore a large portion of the charges passed onto customers. The Commission should carefully review DEF’s fuel costs to ensure that they were reasonably and prudently incurred.

PCS

Phosphate: Only costs prudently incurred and legally authorized may be recovered through the fuel clause. Florida electric utilities, including in particular Duke Energy Florida, LLC (“DEF”), must satisfy the burden of proving the reasonableness of any expenditures for which recovery or other relief is sought in this proceeding.

SACE: The Florida Public Service Commission should undertake a careful review of the reasonableness of the utilities’ proposed 2027 fuel cost recovery factors, 2026 true-ups, and applicable risk management measures. Natural gas prices and delivered fuel costs can be volatile, and customers bear the consequences of material errors in fuel price, fuel use, transportation, and purchased power forecasts. In this docket, the Commission should examine whether the utilities’ 2027 projections adequately account for reasonably foreseeable risks, including commodity price volatility, changes in gas demand and LNG exports, transportation and storage constraints, weather, and changes in generation requirements. The Commission should evaluate whether the utilities have reasonably evaluated cost-effective ways to manage such risks, such as through supply and resource diversification, and economic use or release of transportation capacity where contract rights and operational needs permit. SACE does not, currently, ask the Commission to mandate a particular resource mix or procurement strategy as a condition of approving the annual fuel factors.

However, SACE’s position as a matter of public policy is that a one-year lookback or projection is inadequate for strategically reducing exposure to fuel costs. The annual fuel factor process should also be informed by a more consistent and transparent assessment of fuel risk over time. SACE favors a prospective, generally applicable framework under which each utility would explain material forecast variances over a more extended (perhaps five-year) lookback; assess reasonable price, supply, delivery, weather, demand, and fuel-use scenarios over a proposed ten-year horizon; quantify potential customer-cost effects and cost-saving opportunities where practicable; and reconcile material fuel-use assumptions with its Ten-Year Site Plan. Common reporting standards would improve comparability without requiring utilities to use identical models or requiring recovery of ten years of projected costs in a single annual factor.

SACE therefore urges the Commission to develop a fuel cost management policy framework applicable to all power generating jurisdictional electric utilities through a separate rule development or generic technical process that extends the “look forward” to inform future annual fuel filings and Ten-Year Site Plan review, and allows for incremental development of evidence-based, improved fuel management policies. In adjusting its policies and procedures, the Commission should also provide for commonality among jurisdictional utilities in the approach they use to manage fuel cost risk so that fuel cost risk is addressed comprehensively and in the same manner for all of Florida’s jurisdictional utility customers. These utilities should each evaluate diversification and economic

capacity-release opportunities where their contracts, reliability obligations, and circumstances permit.

STAFF: Staff's positions are preliminary and based on materials filed by the parties and on discovery. The preliminary positions are offered to assist the parties in preparing for the hearing. Staff's final positions will be based upon all the evidence in the record and may differ from the preliminary positions.

VIII. ISSUES AND POSITIONS

I. COMPANY-SPECIFIC FUEL ISSUES

Duke Energy Florida, LLC

ISSUE 1A: What was the total gain under DEF's Incentive Mechanism approved by Order No. PSC-2024-0472-AS-EI that DEF may recover for the period January 2025 through December 2025, and how should that gain be shared between DEF and its customers?

DEF: The total gain was \$20,788,372. Customers receive \$12,354,186 and DEF will recover \$8,434,186. (Menendez)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has demonstrated that it has met its burden to demonstrate that the amount of gain and the gain be shared between DEF and its customers for the period January 2025 through December 2025 is reasonable and prudent.

FIPUG: No position.

Nucor: Agree with OPC.

**PCS
Phosphate:** Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 1B: Should the Commission approve DEF's 2027 Risk Management Plan?

DEF: Yes. (McClay)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has met its burden to demonstrate that its 2027 Risk Management Plan is reasonable and prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: The Commission should determine whether DEF's 2027 Risk Management Plan reasonably addresses material risks to customers during the recovery period. SACE reserves its position on approval pending review of the plan and the complete record.

STAFF: Staff has no position at this time.

ISSUE 1C: What is the appropriate subscription bill credit associated with DEF's Clean Energy Connection Program, approved by Order No. PSC-2021-0059-S-EI, to be included for recovery in 2027?

DEF: \$69,426,158. (Menendez)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has demonstrated that it has met its burden to demonstrate that the subscription bill credit amounts associated with DEF's Clean Energy Connection Program are reasonable or prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 1D: What is the appropriate Clean Energy Impact (CEI) credit, approved by Order No. PSC-2023-0191-TRF-EI, to be included in the fuel clause in 2027?

DEF: \$3,566,798. (Menendez)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has demonstrated that it has met its burden to demonstrate that the subscription bill credit amounts associated with DEF's Clean Energy Impact (CEI) are reasonable or prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time..

ISSUE 1E: What is the appropriate amount of the storm cost recovery true-up to be credited to the fuel clause in the period January 2026 through December 2026 per Order No. PSC-2025-0204-FOF-EI?

DEF: \$90,515,614 over-recovery. (Menendez)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has demonstrated that it has met its burden to demonstrate that the storm cost recovery true-up amounts to be credited to the fuel clause in the period January 2026 through December 2026 are reasonable or prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 1F: **Were DEF's actions related to the forced outage at Hines Steam Turbine 4 on March 8 and March 10 prudent? If not, what actions should the Commission take?**

DEF: DEF agrees that this issue is not ripe for adjudication in this docket but does not agree that the outages or DEF's actions necessitate a standalone issue.

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF's actions related to the outage at Hines Steam Turbine 4 were reasonable or prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 1G: Were DEF's actions related to the forced outage at Hines Steam Turbine 3 on November 17 prudent? If not, what actions should the Commission take?

DEF: DEF agrees that this issue is not ripe for adjudication in this docket but does not agree that the outage or DEF's actions necessitate a standalone issue.

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF's actions related to the outage at Hines Steam Turbine 3 were reasonable or prudent.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

Florida Power & Light Company

ISSUE 2A: What was the total gain under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL may recover for the period January 2025 through December 2025, and how should that gain to be shared between FPL and its customers?

ISSUE 2B: What is the appropriate amount of Incremental Optimization Costs under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for Personnel, Software, and Hardware costs for the period January 2025 through December 2025?

- ISSUE 2C:** What is the appropriate amount of Variable Power Plant O&M Attributable to Off-System Sales under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for the period January 2025 through December 2025?
- ISSUE 2D:** What is the appropriate amount of Variable Power Plant O&M Avoided due to Economy Purchases under FPL's Incentive Mechanism approved by Order No. PSC-2021-0446A-S-EI that FPL should be allowed to recover through the fuel clause for the period January 2025 through December 2025?
- ISSUE 2E:** What is the appropriate subscription credit associated with FPL's SolarTogether Program approved by Order No. PSC-2020-0084-S-EI, to be included for recovery in 2027?
- ISSUE 2F:** Should the Commission approve FPL's 2027 Risk Management Plan?
- ISSUE 2G:** Were FPL's actions related to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 1 in July 2024 prudent? If not, what actions should the Commission take?
- ISSUE 2H:** How much replacement power cost did FPL incur due to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 1 in July 2024?
- ISSUE 2I:** Were FPL's actions related to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 2 in May/June 2024 prudent? If not, what actions should the Commission take?
- ISSUE 2J:** How much replacement power cost did FPL incur due to the forced outage event(s) that occurred at St. Lucie Nuclear Unit No. 2 in May/June 2024?
- ISSUE 2K:** Has FPL implemented the accounting changes with respect to its Asset Optimization Program as authorized by Order No. PSC-2026-0022-S-EI?
- ISSUE 2L:** Are the 2027 SoBRA units (16 total) proposed by FPL cost effective?
- ISSUE 2M:** What are the revenue requirements associated with the first and second tranches, respectively, of the 2027 SoBRA Project?
- ISSUE 2N:** What are the appropriate base rate percentage increases for the first and second tranches of the 2027 SoBRA Project to be effective when the respective units are in service, currently projected to be January 31, 2027 (Tranche 1), and July 31, 2027 (Tranche 2)?

ISSUE 2O: Should the Commission approve revised tariffs for FPL reflecting the base rate percentage increases for the 2027 SoBRA Project determined to be appropriate in this proceeding?

ISSUE 2P: Were FPL's actions related to the forced outage event that occurred at Turkey Point Nuclear Unit 4 on June 21 prudent? If not, what actions should the Commission take?

Issues 2A through 2P will be heard on December 1, 2026. A separate prehearing order will be issued for the December 1, 2026 final hearing.

Florida Public Utilities Company

No company-specific fuel issues for Florida Public Utilities Company have been identified at this time. If such issues are identified, they shall be numbered 3A, 3B, 3C, and so forth, as appropriate.

Tampa Electric Company

ISSUE 4A: What was the total gain under TECO's Optimization Mechanism approved by Order No. PSC-2021-0423-S-EI that TECO may recover for the period January 2025 through December 2025, and how should that gain be shared between TECO and its customers?

DEF: No position.

FPL: No position given.

FPUC: No position.

TECO: The total gain for the period January 2025 through December 2025 under the Optimization Mechanism approved by Order No. PSC-2021-0423-S-EI is \$23,344,580. Customers should receive \$13,572,290, and Tampa Electric should receive \$9,772,290.

OPC: The OPC is not in agreement that TECO's optimization mechanism is legally permissible.

FIPUG: No position.

Nucor: No position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 4B: Should the Commission approve TECO's 2027 Risk Management Plan?

DEF: No position.

FPL: No position given.

FPUC: No position.

TECO: Yes. Tampa Electric's 2027 Risk Management Plan provides prudent, non-speculative guidelines for mitigating price volatility while ensuring supply reliability. (Heisey)

OPC: The OPC is not in agreement at this time that Tampa Electric Company has demonstrated that it has met its burden to demonstrate that its 2027 Risk Management Plan is reasonable and prudent.

FIPUG: No position.

Nucor: No position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

GENERIC FUEL ADJUSTMENT ISSUES

ISSUE 5: What are the appropriate final fuel adjustment true-up amounts for the period January 2025 through December 2025?

DEF: \$11,662,319 over-recovery. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The final, end of period true-up amount for 2025 is an under-recovery of \$906,830. (McCool)

TECO: \$3,724,857 under-recovery. (Sizemore)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for final true-up and proposed for recovery from customers can necessarily be deemed reasonable and prudent.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 6: **What are the appropriate fuel adjustment actual/estimated true-up amounts for the period January 2026 through December 2026?**

DEF: \$74,732,180 under-recovery. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The Company projects a consolidated under recovery of \$1,434,408. (McCool)

TECO: \$46,774,935 over-recovery. (Sizemore)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances,

that the costs proposed for final true-up and proposed for recovery from customers can necessarily be deemed reasonable and prudent.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 7: **What are the appropriate total fuel adjustment true-up amounts to be collected/refunded from January 2027 through December 2027?**

DEF: \$63,069,861 under-recovery. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The total true-up amount to be collected in 2027 is \$2,341,237. (McCool)

TECO: \$43,050,078 over-recovery. (Sizemore)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for final true-up and proposed for recovery from customers can necessarily be deemed reasonable and prudent.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 8: **What are the appropriate projected total fuel and purchased power cost recovery amounts for the period January 2027 through December 2027?**

DEF: \$1,504,802,483, adjusted for line losses and excludes prior period true-up, GPIF, CEC Bill Credits, CEI and AOM. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate projected total fuel and purchased power cost recovery amount for the period January 2027 through December 2027 is \$56,980,446. (McCool)

TECO: The total recoverable fuel and purchased power recovery amount to be collected, adjusted by the jurisdictional separation factor, is \$668,421,311. (Sizemore)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for final true-up and proposed for recovery from customers can necessarily be deemed reasonable and prudent.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: The appropriate amounts are those supported by reasonable fuel price, delivered cost, fuel use, generation, and purchased power assumptions. In assessing the utilities' projections, the Commission should consider the material risks identified in the utilities' filings and any record evidence concerning their potential effect on 2027 costs. SACE takes no position on a utility-specific dollar amount.

STAFF: Staff has no position.

COMPANY-SPECIFIC GENERATING PERFORMANCE INCENTIVE FACTOR ISSUES

Duke Energy Florida, LLC

No company-specific GPIF issues for Duke Energy Florida, Inc. have been identified at this time. If such issues are identified, they shall be numbered 9A, 9B, 9C, and so forth, as appropriate.

Tampa Electric Company

No company-specific GPIF issues for Tampa Electric Company have been identified at this time. If such issues are identified, they shall be numbered 11A, 11B, 11C, and so forth, as appropriate.

GENERIC GPIF ISSUES

ISSUE 12: **What is the appropriate GPIF reward or penalty for performance achieved during the period January 2025 through December 2025 for each investor-owned electric utility subject to the GPIF?**

DEF: \$769,009 penalty. (Bingham)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: A reward in the amount of \$7,622,180 for January 2025 through December 2025 performance to be applied to the January 2027 through December 2027 period. (Parke)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for determination of the GPIF reward or penalty for performance achieved during the period January 2025 through December 2025 can necessarily be deemed reasonable and prudent.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 13: **What should the GPIF targets/ranges be for the period January 2027 through December 2027 for each investor-owned electric utility subject to the GPIF?**

DEF: The appropriate targets and ranges are shown on Page 4 of Exhibit ARB-1P filed on September 3, 2026 with the Direct Testimony of Adam Ross Bingham. (Bingham)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: The appropriate targets and ranges are shown in Exhibit No. ___ (ALP-2) to the prefiled testimony of Adam L. Parke. Targets and ranges should be set according to the prescribed GPIF methodology established in 1981 by Commission Order No. 9558 in Docket No. 800400-CI and modified in 2006 by Commission Order No. PSC-2006-1057-FOF-EI in Docket No. 20060001-EI. (Parke)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these targets/ranges are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for determination of the GPIF targets/ranges be for the period January 202 through December 2027 can necessarily be deemed reasonable or appropriate.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

FUEL FACTOR CALCULATION ISSUES

ISSUE 14: What are the appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2027 through December 2027?

DEF: \$1,641,396,881. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor for the period January 2027 through December 2027 is \$59,321,683, which includes prior period true-ups. (McCool)

TECO: The projected net fuel and purchased power cost recovery amount to be included in the recovery factor for the period January 2027 through December 2027, adjusted by the jurisdictional separation factor, is \$668,421,311. The total recoverable fuel and purchased power cost recovery amount to be collected January 2027 through December 2027, including the true-up, optimization mechanism, and GPIF, adjusted for the revenue tax factor, is \$643,304,304. (Sizemore, Heisey, Parke, Smith)

OPC: The OPC is not in agreement at this time that the Companies have demonstrated that they have met their burden to demonstrate that these costs are reasonable and/or prudent. A significant percentage of the costs on a customer's bill are based on clause recovery in this docket and others. The Commission has not held a contested proceeding where testimony from witnesses was heard and discussed in open hearing. The OPC is not in a position to agree, given these circumstances, that the costs proposed for determination of the projected net fuel and purchased power cost recovery and Generating Performance Incentive amounts to be included in the recovery factor the period January 2027 through December 2027 can necessarily be deemed reasonable or appropriate.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 15: What is the appropriate revenue tax factor to be applied in calculating each investor-owned electric utility's levelized fuel factor for the projection period January 2027 through December 2027?

DEF: Pursuant to the 2021 Settlement approved in Order No. PSC-2021-0202-AS-EI, DEF removed the Regulatory Assessment Fee beginning with its 2022 Projection Filing and includes it with the Gross Receipts Tax on customer bills. (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate tax revenue factor is 1.000848. (McCool)

TECO: The appropriate revenue tax factor is 1.000848. (Sizemore)

OPC: The factors should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 16: What are the appropriate levelized fuel cost recovery factors for the period January 2027 through December 2027?

DEF: 3.998 cents/kWh (adjusted for jurisdictional losses). (Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate factor is 7.285¢ per kWh. (McCool)

TECO: The appropriate factor is 3.079 cents per kWh before any application of time of use multipliers for on-peak or off-peak usage. (Sizemore)

OPC: The factors should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 17: **What are the appropriate fuel recovery line loss multipliers to be used in calculating the fuel cost recovery factors charged to each rate class/delivery voltage level class?**

DEF:	<u>Group</u>	<u>Delivery Voltage Level</u>	<u>Line Loss Multiplier</u>
	A	Transmission	0.9800
	B	Distribution Primary	0.9900
	C	Distribution Secondary	1.0000
	D	Lighting Service	1.0000

(Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate line loss multiplier is 1.0000. (McCool)

TECO: The appropriate fuel recovery line loss multipliers are as follows:

<u>Metering Voltage Schedule</u>	<u>Line Loss Multiplier</u>
Distribution Secondary	1.0000
Distribution Primary	0.9900
Transmission	0.9800
Lighting Service	1.0000

(Sizemore)

OPC: The multiplier used in calculating the factors should be based on costs deemed reasonable and prudent in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 18: What are the appropriate fuel cost recovery factors for each rate class/delivery voltage level class adjusted for line losses?

DEF:

Fuel Cost Factors (cents/kWh)							
					Time of Use		
Group	Delivery Voltage Level	First Tier Factor	Second Tier Factors	Levelized Factors	On-Peak	Off-Peak	Discount
A	Transmission			3.924	5.199	3.865	3.131
B	Distribution Primary			3.964	5.252	3.905	3.163
C	Distribution Secondary	3.711	4.781	4.004	5.305	3.944	3.195
D	Lighting Secondary			3.791			

(Menendez)

FPL: *This issue will be tried at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The appropriate levelized fuel adjustment and purchased power cost recovery factors for the period January 2027 through December 2027 for the Consolidated Electric Division, adjusted for line loss multipliers and including taxes, are as follows:

Rate Schedule

Adjustment

RS	\$0.08943
GS	\$0.08970
GSD	\$0.08613
GSLD	\$0.08456
LS	\$0.07516
<u>Step rate for RS</u>	
RS Sales	\$0.08943
RS with less than 1,000 kWh/month	\$0.08590
RS with more than 1,000 kWh/month	\$0.09840

TECO:

<u>Metering Voltage Level</u>	<u>Fuel Charge Factor (cents per kWh)</u>	
Secondary	3.084	
RS Tier I (Up to 1,000 kWh)	2.778	
RS Tier II (Over 1,000 kWh)	3.778	
Distribution Primary	3.053	
Transmission	3.022	
Lighting Service	3.007	
Distribution Secondary	3.468	(on-peak)
	2.912	(off-peak)
Distribution Primary	3.433	(on-peak)
	2.883	(off-peak)
Transmission	3.399	(on-peak)
	2.854	(off-peak)
(Sizemore)		

OPC: The factors should be based on costs deemed reasonable and prudent in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

II. CAPACITY ISSUES

COMPANY-SPECIFIC CAPACITY COST RECOVERY FACTOR ISSUES

Duke Energy Florida, LLC

ISSUE 19A: What is the appropriate amount of costs for the Independent Spent Fuel Storage Installation (ISFSI) that DEF should be allowed to recover through the capacity cost recovery clause pursuant to DEF's 2017 Settlement for 2027?

DEF: \$10,837,196. (Menendez)

FPL: No position given.

FPUC: No position.

TECO: No position given.

OPC: The OPC is not in agreement at this time that DEF has demonstrated that it has met its burden to demonstrate that the appropriate amount of costs for the Independent Spent Fuel Storage Installation (ISFSI) that DEF are the correct ones to recover through the capacity cost recovery clause pursuant to DEF's 2017 Settlement for 2027.

FIPUG: No position.

Nucor: Agree with OPC.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

Florida Power & Light Company

ISSUE 20A: Has FPL calculated its capacity factors using the 4 CP and 12% average demand methodology for production plant and 4 CP for transmission plant consistent with Order No. PSC-2026-0022-S-EI?

This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.

Tampa Electric Company

No company-specific capacity cost recovery factor issues for Tampa Electric Company have been identified at this time. If such issues are identified, they will be numbered 21A, 21B, 21C, and so forth, as appropriate.

GENERIC CAPACITY COST RECOVERY FACTOR ISSUES

ISSUE 22: What are the appropriate final capacity cost recovery true-up amounts for the period January 2025 through December 2025?

DEF: \$5,818,077 over-recovery. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: \$3,395,157 under-recovery. (Sizemore)

OPC: The final capacity cost recovery true-up amounts for the period January 2025 through December 2025 should be based on costs deemed reasonable and prudent in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**PCS
Phosphate:** Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 23: What are the appropriate capacity cost recovery actual/estimated true-up amounts for the period January 2026 through December 2026?

DEF: \$1,754,262 under-recovery. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: \$9,913,286 under-recovery. (Sizemore)

OPC: The capacity cost recovery actual/estimated true-up amounts for the period January 2026 through December 2026 should be based on costs deemed reasonable or prudent in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 24: **What are the appropriate total capacity cost recovery true-up amounts to be collected/refunded during the period January 2027 through December 2027?**

DEF: \$4,063,820 over-recovery. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: \$13,308,442 under-recovery. (Sizemore)

OPC: The projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2027 through December 2027 should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 25: **What are the appropriate projected total capacity cost recovery amounts for the period January 2027 through December 2027?**

DEF: \$11,130,016. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: The projected total capacity cost recovery amount for the period January 2027 through December 2027 is \$14,921,152. (Sizemore)

OPC: The projected total capacity cost recovery amounts for the period January 2027 through December 2027 should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

**PCS
Phosphate:** Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 26: **What are the appropriate projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2027 through December 2027?**

DEF: \$26,031,032. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: The total recoverable capacity cost recovery amount to be collected, including the true-up amount, adjusted for the revenue tax factor, is \$28,253,533. (Sizemore, Smith)

OPC: The projected net purchased power capacity cost recovery amounts to be included in the recovery factor for the period January 2027 through December 2027 should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 27: **What are the appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2027 through December 2027?**

DEF: Base – 100.000%, Intermediate – 95.212%, Peaking – 97.632%, consistent with the 2024 Settlement in Docket No. 20240025 - Petition for Rate Increase by Duke Energy Florida, LLC - Joint Motion for Approval of Settlement Agreement filed 7/15/24 and approved by the Commission on 8/21/24. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.

TECO: The appropriate jurisdictional separation factor is 1.0000000. (Sizemore)

OPC: The appropriate jurisdictional separation factors for capacity revenues and costs to be included in the recovery factor for the period January 2027 through December 2027 should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS**Phosphate:** Agree with OPC.**SACE:** No position.**STAFF:** Staff has no position at this time.

ISSUE 28: What are the appropriate capacity cost recovery factors for the period January 2027 through December 2027?

DEF:

Rate Class	Jan-Dec 2027 CCR Factor
Residential	0.074 cents/kWh
General Service Non-Demand @ Primary Voltage @ Transmission Voltage	0.069 cents/kWh 0.068 cents/kWh 0.068 cents/kWh
General Service 100% Load Factor	0.039 cents/kWh
General Service Demand @ Primary Voltage @ Transmission Voltage	0.18 \$/kW-month 0.18 \$/kW-month 0.18 \$/kW-month
Curtable @ Primary Voltage @ Transmission Voltage	0.19 \$/kW-month 0.19 \$/kW-month 0.19 \$/kW-month
Interruptible @ Primary Voltage @ Transmission Voltage	0.16 \$/kW-month 0.16 \$/kW-month 0.16 \$/kW-month
Standby Monthly @ Primary Voltage @ Transmission Voltage	0.018 \$/kW-month 0.018 \$/kW-month 0.018 \$/kW-month
Standby Daily @ Primary Voltage @ Transmission Voltage	0.009 \$/kW-month 0.009 \$/kW-month 0.009 \$/kW-month
Lighting	0.023 cents/kWh

(Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: No position.**TECO:** The appropriate factors for January 2027 through December 2027 are as follows:

<u>Rate Class and Metering Voltage</u>	<u>Capacity Cost Recovery Factor</u>	
	<u>Cents per kWh</u>	<u>\$ per kW</u>
RS	0.171	
GS and CS	0.141	
GSD, RSD		
Secondary		0.42
Primary		0.42
Transmission		0.41
GSD Optional		
Secondary	0.103	
Primary	0.102	
Transmission	0.101	
GSLDPR/GSLDTPR/SBLDPR/SBLDTPR		0.37
GSLDSU/GSLDTSU/SBLDSU/SBLDTSU		0.36
LS-1, LS-2	(0.011)	
(Sizemore)		

OPC: The appropriate capacity cost recovery factors for the period January 2027 through December 2027 should be based on costs deemed reasonable in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

III. EFFECTIVE DATE

ISSUE 29: What should be the effective date of the fuel adjustment factors and capacity cost recovery factors for billing purposes?

DEF: The new factors should be effective beginning with the first billing cycle for January 2027 through the last billing cycle for December 2027. The first billing cycle may start before January 1, 2027, and the last billing cycle may end after December 31, 2027, so long as each customer is billed for twelve months regardless of when the factors became effective. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: The effective date for FPUC's cost recovery factors should be the first billing cycle for January 1, 2027, which could include some consumption from the prior month. Thereafter, customers should be billed the approved factors for a full 12 months, unless the factors are otherwise modified by the Commission. (McCool)

TECO: The new factors should be effective beginning with the first billing cycle for January 2027 through the last billing cycle for December 2027. The first billing cycle may start before January 1, 2027, and the last cycle may be read after December 31, 2027, so that each customer is billed for twelve months regardless of when the recovery factors became effective. The new factors shall continue in effect until modified by this Commission. (Sizemore)

OPC: The effective date for any rate change should be the first day of the first billing cycle in January 2027.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 30: **Should the Commission approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding?**

DEF: Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. The Commission should direct Staff to verify that the revised tariffs are consistent with the Commission decision. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: Yes. The Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate

in this proceeding. The Commission should direct staff to verify that the revised tariffs are consistent with the Commission's decision. (McCool)

TECO: Yes, the Commission should approve revised tariffs reflecting the fuel adjustment factors and capacity cost recovery factors determined to be appropriate in this proceeding. (Sizemore)

OPC: The tariffs ultimately approved should be based on costs deemed reasonable or prudent in a hearing.

FIPUG: No position.

Nucor: Regarding DEF, agree with OPC. For all other utilities, Nucor takes no position.

PCS

Phosphate: Agree with OPC.

SACE: No position.

STAFF: Staff has no position at this time.

ISSUE 31: Should this docket be closed?

DEF: No, the docket should remain open because it is a continuing docket. (Menendez)

FPL: *This issue will be heard at the December 1, 2026 final hearing. A separate prehearing order will be issued for the December 1, 2026 final hearing.*

FPUC: This is a continuing docket and should remain open. (McCool)

TECO: No, this is a continuing docket and should remain open.

OPC: No position.

FIPUG: No.

Nucor: No position.

PCS

Phosphate: No position.

SACE: No position.

STAFF: Staff has no position at this time.

IX. EXHIBIT LIST

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
<u>Direct</u>			
Christopher A. Menendez ³	DEF	GPD-1T	Fuel Cost Recovery True-Up (Jan – Dec. 2025)
Christopher A. Menendez	DEF	GPD-2T <i>Revised</i>	Capacity Cost Recovery True-Up (Jan – Dec. 2025)
Christopher A. Menendez	DEF	GPD-3T	Schedules A1 through A3, A6 and A12 for Dec 2025
Christopher A. Menendez	DEF	GPD-4T	2025 Capital Structure and Cost Rates Applied to Capital Projects
Christopher A. Menendez	DEF	GPD-5T	Annual Clean Energy Impact Program report
Christopher A. Menendez	DEF	GPD-6T	AOM Detail-Sheet 3 of 3 CONFIDENTIAL
Christopher A. Menendez	DEF	CAM-2	Actual/Estimated True-up Schedules for period January – December 2026
Christopher A. Menendez Revised 10/23/2026	DEF	CAM-3	Projection Factors for January - December 2027
Adam R. Bingham	DEF	ARB-1T	Calculation of GPIF Penalty for January - December 2025
Adam R. Bingham	DEF	ARB-1P	GPIF Targets/Ranges Schedules for January – December 2027
James McClay	DEF	JM-1P	2027 Risk Management Plan CONFIDENTIAL
Alison Regan ⁴	FPUC	AR-1	Final True Up Schedules (Schedules A, C1 and E1-B for FPUC's Divisions)

³ Christopher A. Menendez adopted Gary Dean's Exhibit Nos. GPD-1T through GPD-6T.

⁴ Adopted by Witness Caroline Wanjiru McCool by Notice of Substitution of October 1, 2026.

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Caroline McCool	FPUC	CWM-1	Estimated/Actual (Schedules El-A, El-B, and El-B1)
Caroline McCool	FPUC	CWM-2	Schedules E1, E1A, E2, E7, E8, E10 and Schedule A
M. Ashley Sizemore	TECO	MAS-1	-Final True-Up Capacity Cost Recovery January 2025-December 2025 -Final True-up Fuel Cost Recovery January 2025-December 2025 -Actual Fuel True-up Compared to Original Estimates January 2025-December 2025 - Schedules A-1, A-2, A-6 through A-9, and A-12 January 2025-December 2025 CONFIDENTIAL
M. Ashley Sizemore	TECO	MAS-2	-Actual/Estimated True-Up Fuel Cost Recovery January 2026-December 2026 -Actual/Estimated True-Up Capacity Cost Recovery January 2026-December 2026 CONFIDENTIAL
M. Ashley Sizemore	TECO	MAS-3	-Projected Capacity Cost Recovery January 2027-December 2027 -Projected Fuel Cost Recovery January 2027-December 2027 -Levelized and Tiered Fuel Rate January 2027-December 2027 CONFIDENTIAL
Adam L. Parke	TECO	ALP-1	-Final True-Up Generating Performance Incentive Factor January 2025-December 2025 -Actual Unit Performance Data January 2025-December 2025

<u>Witness</u>	<u>Proffered By</u>		<u>Description</u>
Adam L. Parke	TECO	ALP-2	-Generating Performance Incentive Factor January 2027-December 2027 -Summary of Generating Performance Incentive Factor Targets January 2027-December 2027
John C. Heisey	TECO	JCH-1	Optimization Mechanism Results January 2025-December 2025 CONFIDENTIAL
John C. Heisey	TECO	JCH-2	Risk Management Plan January 2027-December 2027

X. PROPOSED STIPULATIONS

There are no proposed stipulations at this time.

XI. PENDING MOTIONS

There are no pending motions at this time.

XII. PENDING CONFIDENTIALITY MATTERS

There are no pending confidentiality matters at this time.

XIII. POST-HEARING PROCEDURES

If no bench decision is made, each party shall file a post-hearing statement of issues and positions. A summary of each position, set off with asterisks, shall be included in that statement. If a party's position has not changed since the issuance of this Prehearing Order, the post-hearing statement may simply restate the prehearing position; however, if the prehearing position is longer than 50 words, it must be reduced to no more than 50 words. If a party fails to file a post-hearing statement, that party shall have waived all issues and may be dismissed from the proceeding.

Pursuant to Rule 28-106.215, F.A.C., a party's proposed findings of fact and conclusions of law, if any, statement of issues and positions, and brief, shall together total no more than 40 pages and shall be filed at the same time.

XIV. RULINGS

1. Opening statements, if any, shall not exceed 3 minutes per party.
2. Staff shall have administrative authority to excuse witnesses as set forth in Section VI of this Order.
3. FPL has requested that it be allowed to file supplemental testimony revising its Actual/Projected 2026 testimony and its 2027 projection testimony to reflect lower fuel prices. This would allow FPL to coordinate these changes with the implementation of an interim storm charge for Hurricane Isaias as both charges would take effect January 1, 2027. FPL has asked to file its supplemental testimony and request for interim storm charge on October 30, 2026. Since the final hearing in this docket is currently scheduled for November 3-6, 2026, FPL agrees that hearing on its issues should be continued until December 1, 2026, in order to give staff and parties sufficient time to review the supplemental testimony and exhibits.

Given the fact that lower fuel prices will offset at least some of the Hurricane Isaias interim storm charge, FPL's request to file supplemental testimony on October 30, 2026, revising its Actual/Projected 2026 testimony and 2027 projection testimony is granted. Further, the November 3, 2026 hearing will be continued until December 1, 2026 to consider all of FPL's issues. All written discovery, limited to the issues addressed in FPL's supplemental testimony, shall be filed by November 4, 2026, and answered on or before November 10, 2026. Should any depositions be required on the supplemental testimony they shall be conducted on or before November 24, 2026.

4. DEF has advised that its capacity projection filing contains an error which will require changes to its 2027 projected net purchased power capacity cost recovery amounts and Schedule E10. This revision will result in a 0.24 cents/kw reduction in the residential capacity rate and has limited impact otherwise. With the correct amounts placed into the record, DEF argues that its issues don't need to be continued to the December 1, 2026 final hearing. DEF provided its revised numbers to all parties on October 20, 2026. Given the fact that this appears to be a true scrivener's error with limited impact, and absent objection by any party, this issue can be decided at the November 3, 2026 hearing.

It is therefore,

ORDERED by Commissioner Gary F. Clark, as Prehearing Officer, that this Prehearing Order shall govern the conduct of these proceedings as set forth above unless modified by the Commission.

By ORDER of Commissioner Gary F. Clark, as Prehearing Officer, this 28th day of October, 2026.



GARY F. CLARK
Commissioner and Prehearing Officer
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Copies furnished: A copy of this document is provided to the parties of record at the time of issuance and, if applicable, interested persons.

SBr

NOTICE OF FURTHER PROCEEDINGS OR JUDICIAL REVIEW

The Florida Public Service Commission is required by Section 120.569(1), Florida Statutes, to notify parties of any administrative hearing or judicial review of Commission orders that is available under Sections 120.57 or 120.68, Florida Statutes, as well as the procedures and time limits that apply. This notice should not be construed to mean all requests for an administrative hearing or judicial review will be granted or result in the relief sought.

Mediation may be available on a case-by-case basis. If mediation is conducted, it does not affect a substantially interested person's right to a hearing.

Any party adversely affected by this order, which is preliminary, procedural or intermediate in nature, may request: (1) reconsideration within 10 days pursuant to Rule 25-22.0376, Florida Administrative Code; or (2) judicial review by the Florida Supreme Court, in the case of an electric, gas or telephone utility, or the First District Court of Appeal, in the case of a water or wastewater utility. A motion for reconsideration shall be filed with the Office of Commission Clerk, in the form prescribed by Rule 25-22.0376, Florida Administrative Code. Judicial review of a preliminary, procedural or intermediate ruling or order is available if review of the final action will not provide an adequate remedy. Such review may be requested from the appropriate court, as described above, pursuant to Rule 9.100, Florida Rules of Appellate Procedure.